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Indonesia Requires Dairy and Egg Exporters to Prelist with MOA

Report Categories:

Dairy and Products

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Report Highlights:

Indonesia announced Law 18/2009, requiring foreign companies that export dairy products and eggs to Indonesia to prelist with the Indonesian Ministry of Agriculture. Law 18 also requires that audits on a plant-by-plant basis must follow for all prelisted companies. Finally, Law 18 stipulates that all dairy products and eggs exported to Indonesia shall be certified as halal.

General Information:

On Friday, September 11, 2009, staff representing the Foreign Agricultural Service's (FAS) Office of Agricultural Affairs, Jakarta, Indonesia, including Agricultural Counselor Dennis Voboril, Agricultural Attaché Jonn Slette, and Agricultural Specialist Sugiarti Meylinah met with Dr. Turni Rusli Syamsudin, Director for Veterinary Public

Health, Livestock Services Division, Indonesian Ministry of Agriculture. During the meeting, Dr. Syamsudin informed the FAS representatives that Indonesia will begin to enforce Indonesian Law 18/2009 (Law 18), which stipulates that all companies exporting animal derived products, including dairy and eggs, to Indonesia will be required to apply for pre-listing. He stated that Indonesia would provide 12 months from June 4, 2009, the inception date of the Law 18, before full implementation.

According to Dr. Syamsudin, after the companies are prelisted, plant-by-plant inspections will follow. Additionally, Dr. Syamsudin stated that these products will also require halal certification by a U.S. based Islamic center, approved by the Indonesian Ulama Council (MUI). Finally, Dr. Syamsudin noted that Indonesia will not immediately stop dairy and egg imports. Furthermore, he insisted that trade is not currently being affected, and import permits continue to be issued and signed for dairy products and eggs.

According to Dr. Syamsudin, Indonesia already completed dairy and egg audits, in compliance with Law 18, in India, Malaysia, and Singapore. He also noted that Indonesia currently has similar audits underway in New Zealand.

FAS Agricultural Counselor Dennis Voboril asked Dr. Syamsudin if Indonesia notified the World Trade Organization (WTO), per their WTO obligations. Dr. Syamsudin stated that he was unaware if Law 18 had been notified to the WTO, although he insisted they would contact the appropriate people within the Ministry of Agriculture and inform FAS Jakarta of the results. FAS Washington confirmed that Indonesia has not notified the WTO, per their WTO obligations.

The following is a partial and unofficial translation of Law 18, which is intended to provide a basic overview of those sections that are particularly applicable to U.S. exporters:

**INDONESIAN LAW NO. 18/2009
LIVESTOCK AND ANIMAL HEALTH**

**CHAPTER III
RESOURCES**

Section Three
Article 8

(2) Government agencies in charge of genetic resources are the Central Government, Provincial Government, or Regency/Municipality Government based on genetic resources indigenous geographical distribution.

(4) Genetics resources is used through cultivation and breeding.

Article 9

- Every entity using genetic resources as is stated in Article 8 (4) must make an agreement with government agency in charge of genetic resources as is stated in Article 8 (2).
- Agreement as mentioned in (1) must declare, among others, profit sharing from the related using of genetic resources and empowerment of surrounding community.
- Use of wild animal genetic resources will refer to regulations regarding conservation of biodiversity and its ecosystem.

Article 11

- Every entity or national institutions who will import or export genetic resources into Indonesian territory must obtain permit from the Minister of Agriculture according to regulations.
- Regulation as is stated in (1) is also applied to any international institution who will import or export genetic resources into or out of Indonesian territory.
- Besides regulation as mentioned in (2), foreign entities who will import or export genetic resources must have initially have a Material Transfer Agreement with Indonesian government according to regulation.

CHAPTER IV

LIVESTOCK

Section Two Feed

Article 22

- Every entity producing feed and/or feed ingredients to be commercially distributed must obtain a business license.
- Feed made to be commercially distributed must fulfill minimum standard or minimal technical requirement and food safety as well as feed production regulation as determined by the Min. of Ag. regulation.
- Feed as mentioned in (2) must be completed with a label according to the regulation.
- Every body is prohibited from:
 - a. distributing feed unfit for animal consumption.
 - b. Using and/or distributing ruminant feed containing feed ingredients of blood, meat, and/or bone, or,
 - c. Using feed containing certain hormones and/or feed additives.
- Further stipulation as mentioned in (4) c is regulated by the Min. of Ag. regulation.

CHAPTER VI VETERINARY PUBLIC HEALTH AND ANIMAL WELFARE

Section One Veterinary Public Health

Article 56

Veterinary public health is animal health conducted in the forms of:

- a. Zoonotics control and eradication.
- b. Guarantee of animal products safety, health, wholesomeness, and halal.

- c. Guarantee of hygiene and sanitation.
- d. Comparable medical development, and
- e. Disaster handling.

Article 57

- The Minister (of Agriculture) together with the Minister who handles health matters determine zoonotics type which require controlling and eradication priority.
- Zoonotics controlling and eradication as mentioned in verse (1) is performed mutatically mutandically in line with the regulation on Article 40 to article 47.
- Besides the regulation mentioned in verse (2), zoonotics control and eradication is mentioned in verse (1) must be coordinated with related ministry.

Article 58

- In order to ensure animal products' safety, health, wholesomeness, and halalness, the Central Government and Provincial Government monitor, inspect, test, standardize, certify, and register all animal products according to their authority.
- Animal health monitoring and inspection will be consecutively conducted at production sites, during slaughtering processes, receiving sites, and collecting sites in fresh forms, before preservation, and during distribution after preservation.
- Animal products standardization, certification, and registration are conducted to animal products produced in or imported into Indonesian territory for distribution in or exported out of Indonesian territory.
- Animal products produced in or imported into Indonesian territory must be completed with veterinary certificate and halal certificate.
- Animal products exported out of Indonesian territory must be completed with veterinary certificate and halal certificate if required by the importing country.
- Further stipulation as mentioned in verse (1) to (5) will be regulated by Minister Regulation.
- For animal based processed food, must not only fulfill all the regulation in verse (5) but also fulfill Food Law regulation.

Article 59

- Every entity who will import animal products into Indonesian territory must obtain import license from trade related minister after obtaining recommendation from:
 - a. to import fresh animal products from the Minister, or
 - b. to import processed animal products from the head of the institution in charge of food and drugs control or the Minister.
- Fresh animal products imported into Indonesian territory as mentioned in (1) must come from an animal products plant in a country or a zone in a country that has fulfilled the animal products import requirements and import procedures.
- Processed animal products which will be imported into Indonesian territory as mentioned in (1) b, which pose zoonotic distribution risks threatening human, animal, and environmental health, must obtain a recommendation from the Ministry of Agriculture before any recommendation is issued by the institution in charge of food and drugs control.
- Animal products import requirements and import procedures into Indonesian territory as mentioned in (2) and (3) refer to the international regulations and standards which are based on risk analysis in animal health and veterinary public health and prioritizing national interests.
- Further stipulation on animal products import requirements and import procedures into Indonesian territory as mentioned in (1) to (4) will be regulated by a Minister Regulation.

Article 60

- Every entity who owns animal products business unit must apply for a request to obtain veterinary control number to a provincial government based on a guidance determined by the Minister of Ag.
- Regency/municipality governments educate business units that produce and/or distribute animal products produced by household scale business unit that has not fulfilled veterinary control number requirements.

Article 61

- Animal slaughtering which meats are distributed must:
 - a. be conducted at a slaughter house.
 - b. follow a slaughtering method that fulfills veterinary public health and animal welfare standard.
- In order to ensure people's peace of mind, animal slaughtering as mentioned in (1) must consider religious and beliefs standards as practiced by the society.
- Minister of Ag. determines good slaughtering house requirements and animal slaughtering procedures.
- Stipulation on animal slaughtering as mentioned in (1) a, is excluding those animal slaughtering for religious festivities, traditional ceremony, and emergency slaughtering.

Article 64

Central and provincial government anticipate threats to people's health resulted from animal and/or environmental changes as an impact from natural disaster which requires preparedness and eradication to zoonotic, hygiene problems, and environmental sanitation.

Article 65

Further stipulation regarding animal products monitoring, inspection, testing, standardization, and certification as is stated in Article 58 (1), procedures for processed animal products importation as is stated in Article 59 (1) b, country and zone determination, animal products business units, and procedures for fresh animal products importation as is stated in Article 59 (2), and preparedness and disaster eradication as is stated in Article 64 will be regulated in Government Regulation.

Explanation on Article 22 (4) c:

Certain hormones are synthetic hormones.

Antibiotics are, among others, *chloramphenicol* and *tetracycline*.

Explanation to Article 58.

What is meant by "Halal Certificate" is a reference letter issued by Products Halal Assurance institution in Indonesia.